REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated September 8, 2003 are respectfully requested. A separate Petition for a 2-Month Extension of Time accompanies this amendment.

I. Rejections under 35 U.S.C. § 102

Claims 17 and 18 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by Rudakov (U.S. Patent No. 6,451,050).

This rejection is respectfully traversed.

Under 35 U.S.C. § 102(e)(2), a person shall be entitled to a patent unless "the invention was described in....a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent...".

The present application is a continuation application and has a priority date of August 30, 1999.

The cited Rudakov *et al.* document has a priority date of April 28, 2000.

Thus, Rudakov *et al.* is not prior art against the present application.

Withdrawal of the rejection is respectfully requested.

II. Rejections under 35 U.S.C. § 103

Claim 19 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Rudakov, et al. (6,451,428), in view of Brown, et al. (U.S. Patent No. 6,071,305) and further in view of Bhatnagar (U.S. Patent No. 5,958,428).

This rejection is respectfully traversed.

A. The Present Invention

The present invention relates to an expandable device for delivery into a blood vessel carrying blood. The device is comprised of (i) an expandable support frame having first and second end portions, (ii) a porous polymer sleeve having inner and outer surfaces, and (iii) a coating of a cell adhesion peptide carried on and attached to at least one of the inner and outer surfaces of the polymer sleeve for enhancing endothelial cell growth on the polymer sleeve.

B. The Cited Art

RUDAKOV *ET AL.* has a filing date after that of the present application and, therefore, is not available as prior art.

BROWN *ET AL.* describe a stent having an interior cavity for containing a drug that is delivered after placement of the stent *in vivo*.

BHATNAGAR describes composite biomaterials, where a substrate is coated with a synthetic peptide, such as collagen, to enhance cell-binding to the substrate.

C. Analysis

The Examiner argues it would have been obvious to provide a collagen as a therapeutic drug, according to the teaching of Brown *et al.*, in the stent of Rudakov *et al.* The Examiner also argues it would have been obvious to provide the synthetic peptide of Bhatnagar *et al.* on the stent of Rudakov *et al.*

As noted above, the cited primary reference of Rudakov *et al.* is not effective prior art against the present application. The secondary references considered alone or in combination fail to show or suggest all of the elements of the claims. Thus, the claims as pending are nonobvious in view of Brown *et al.* and Bhatnagar. Withdrawal of the rejection under 35 U.S. C. § 103 is respectfully requested.

III. Conclusion

In view of the foregoing, the claims pending in the application define over the prior art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (650) 838-4402.

Respectfully submitted,

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